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10/809,834	03/25/2004	Jiun-Yao Huang	250913-1160	7950
24504 7590 08/31/2009 THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 600 GALLERIA PARKWAY, S.E. STE 1500 ATLANTA, GA 30339-5994				
EXAMINER				
ANDREWS, LEON T				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/809,834

**Applicant(s)**

HUANG ET AL.

**Examiner**

LEON ANDREWS

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**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 8-20 and 23-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-20 and 23-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***RCE***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 18, 2009 has been entered.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-4, 8-13, 15-20, 23-29 and 31-32** are being rejected under 35 U.S.C. 103(a) by Bell Labs Technical Journal in view of Shaheen et al. (Pub. No.: US 2007/0211683 A1) and Mayer (Pub. No.: US 2005/0015499 A1).

**Regarding Claim 1**, Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) for IP multimedia service control (IMS service control, page 27, line 16), comprising:

- a first User Equipment (UE) initializing a Session Initial Protocol (SIP) request message;
- a Serving Call Session Control Function (S-CSCF) recording the SIP request message (S-CSCF considered (recording) the SIP request that comes in, page 32, column 2, lines 5-7) and forwarding the SIP request message to a second UE without checking any initial Filter Criteria and going through an application server;
- the S-CSCF receiving a SIP response message initialized by the second UE associated to the SIP request message;
- the S-CSCF examining the SIP response message according to a set of response Filter Criteria (rFC) (S-CSCF request that was sent back, was subjected to and satisfied the filter criteria resulted in a response to the SIP request in which the filter criteria were considered, columns 2 and 1, pages 32 and 33, lines 12-15 and 1-5 respectively)
- defining a set of Service Point Triggers (SPTs) comprising specific SIP responses (service triggering points to apply service where the service is based on SIP providing

a variety of services, column 1, page 33, lines 24-31) triggering individual application services available from a service provider (S-CSCF request that was sent back, was subjected to and satisfied the filter criteria resulted in a response to the SIP request in which the filter criteria were considered depending on the services being used or the eligible services, columns 2 and 1, pages 32 and 33, lines 12-15 and 1-9 respectively; filtering criteria tailors which service platforms and service providers have the ability to control services on a per subscriber basis with the service triggering points to apply service finding the most attractive services to enhance subscriber satisfaction, column 1, page 33, lines 21-27); and

reissuing the SIP request message (Figure 9, SIP INVITE) to the application server (Figure 9, CF AS) designated by the rFC (Figure 9, filter criteria, column 2, page 40, line 4) if the corresponding SIP response message (Figure 9, SIP 100) matches (Fig. 9, 9, filter criteria matches for AS) Service Point Triggers (SPTs) (application servers use service triggering points to apply service logic, column 1, page 33, lines 23-25) of one of the rFC (Figure 9, UE is updated, a NOTIFY is sent to the application sever and, when a call comes in for the UE (steps 2-9) SIP INVITE is forwarded to the application server (reissued) based on the filter criteria which matched for AS, columns 2, 1 and 2, pages 39 and 40, lines 44-45, 1 and 1-4 respectively); wherein the SIP response message is a final response (the S-CSCF selects the priority of the filter criteria and the application server modifies the SIP request and sends it back (response message) to the S-CSCF which continues the process until all the different priorities of the filter criteria are considered or

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the service logic performed in the application server results in a final response to the SIP request depending on what services the user is using or is eligible to use, columns 2 and 1, pages 32 and 33, lines 6-15 and 1-9 respectively) initialized by the second UE.

Bell Labs Technical Journal fails to disclose a first User Equipment (UE) initializing a Session Initial Protocol (SIP) request message, forwarding the SIP request message to a second UE without checking any initial Filter Criteria and going through an application server, and the S-CSCF receiving a SIP response message initialized by the second UE.

But, Shaheen et al. discloses Fig. 1, UE-A (first) initiates SIP message and sends the SIP message to UE-B (second), paragraph [0004], page 1, lines 2-5, and the UE-B examines (initializes) the SIP and sends UE-A a session progress (response) message, paragraph [00026], page 2, lines 1-7.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Shaheen et al.'s first User Equipment (UE) initializing a Session Initial Protocol (SIP) request message, forwarding the SIP request message to a second UE without checking any initial Filter Criteria and going through an application server, and the S-CSCF receiving a SIP response message initialized by the second UE because this would have allowed the UE-A to initiate a media session with UE-B, paragraph [0004], page 1, lines 2-3.

Bell Labs Technical Journal in combination with Shaheen et al. fail to disclose SIP response message received by S-CSCF according filter criteria.

But, Mayer discloses SIP request received is forwarded to S-CSCF and S-CSCF responds to SIP request per the event filter, page 3, lines 10-17.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Mayer's SIP response message received by S-CSCF according to filter criteria because this would have allowed communicating with any kind of multimedia system in which SIP signaling between the terminal and the multimedia enabling system is used, page 3, lines 3-5.

**Regarding Claim 2**, Bell Labs Technical Journal discloses the triggering method according to claim 1, further comprising setting up a list of SPTs (upon receipt of a session initiation trigger, the application checks the availability of all conferees and set up accordingly, column 2, page 36, lines 1-3) of the rFC for matching the corresponding SIP response message.

**Regarding Claims 3 and 18**, Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the SPTs of the rFC are defined by:

SIP response code (Fig. 9, Cx Response, SIP response messages, 200 OK, column 1, page 41, lines 17-18);

an SIP method of the SIP request message (method of a SIP request, column 1, page 32, line 43);

a content of a header field (content of a SIP header, column 2, page 32, lines 32-33); and

a direction of the SIP request message (Fig. 3, 4, Request).

**Regarding Claims 4 and 19,** Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the S-CSCF examines the SPTs of the rFC or iFC one by one according to their indicated priority (request that is the output of the first application server is subject to the next highest priority filter criteria and, if it satisfies these criteria, it is input to the corresponding second application server. This process continues until all the different filter criteria priorities are considered or final response to SIP request resulted, column 2, page 32, lines 42-45 and column 1, page 33, lines 1-5).

**Regarding Claims 8 and 24,** Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the rFC



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are stored in a Home Subscriber Server (HSS) as part of the user profile (Fig. 3, HSS 5. Profile; HSS is queried for the user's profile which includes filter criteria, column 1, page 32, lines 24-26).

**Regarding Claims 9 and 25,** Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the rFC are downloaded to the S-CSCF upon user registration (Fig. 3, registration process within S-CSCF includes querying the HSS for the user's profile which includes filter criteria, column 1, page 32, lines 23-26).

**Regarding Claims 10 and 26,** Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the application server is an SIP application server (SIP application server, page 27, line 15).

**Regarding Claims 11 and 27,** Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the application server is an Internet Protocol (IP) Multimedia Service Switching Function (IP-SSF) (IMS service control (ISC) on application server, page 27, lines 16-17).

**Regarding Claims 12 and 28**, Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the application server is an Open Service Access (OSA) Service Capability Server (SCS) (Fig. 4, IMS application servers are represented by the SIP application server and the OSA gateway, column 2, page 33, line 26-28; within the IMS, access to OSA is offered through a gateway which is seen as a special case of a SIP application server, column 1, page 34, lines 3-5).

**Regarding Claims 13 and 29**, Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the triggering method is applied when the application servers are selected depending on a content of the corresponding SIP response message (response to the SIP request resulted in the logic performed in one of the application servers, column 1, page 33, lines 3-5).

**Regarding Claims 15 and 31**, Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the corresponding SIP response message represents a connection status of destination

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unreachable (rerouting decisions are based on criteria such as no answer, column 1, page 39, lines 38-40) or not found.

**Regarding Claims 16 and 32**, Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9), wherein the corresponding SIP response message represents a connection status of call setup failure (Fig. 9, 0. Notify, called party unavailable).

**Regarding Claim 17**, Bell Labs Technical Journal discloses an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9) for IP multimedia service control (IMS service control, page 27, line 16), comprising:

one or more application servers each designated by a response Filter Criteria (rFC), wherein the rFC defines a set of Service Point Triggers (SPTs) to provide a service (each application dictated by the filter criteria gets application server specific or service specified data, page 32, lines 31-34; filtering criteria tailor which service platform and service providers have the ability to control services using service triggering points to apply service, column 1, page 33, lines 21-25) in response to SIP response messages (service triggering points to apply service where the service is based on SIP providing a variety of services, column 1, page 33, lines 24-31); and

a Serving Call Session Control Function (S-CSCF) forwarding a Session Initial Protocol (SIP) request message (S-CSCF considered the SIP request, page 32, column 2, lines 5-7) initialized by a first User Equipment (UE) to a second UE without checking any initial Filter Criteria and going through an application server, receiving a Session Initial Protocol (SIP) response message initialized by the second UE associated to the SIP request message, examining the SIP response message by a set of response Filter Criteria (rFC) (the S-CSCF selects the priority of the filter criteria and the application server modifies the SIP request and sends it back (response message) to the S-CSCF which continues the process until all the different priorities of the filter criteria are considered in responding to the SIP request depending on what services the user is using or is eligible to use, columns 2 and 1, pages 32 and 33, lines 6-15 and 1-9 respectively), and reissuing the SIP request message (Figure 9, SIP INVITE) to the application server (Figure 9, CF AS) when Service Point Triggers (SPTs) (application servers use service triggering points to apply service logic, column 1, page 33, lines 23-25) in a rFC (Figure 9, UE is updated, a NOTIFY is sent to the application sever and, when a call comes in for the UE (steps 2-9) SIP INVITE is forwarded to the application server (reissued) based on the filter criteria which matched for AS, columns 2, 1 and 2, pages 39 and 40, lines 44-45, 1 and 1-4 respectively) that designates to the application server is matched by the SIP response message; wherein the SIP response message is a final response (the S-CSCF selects the priority of the filter criteria and the application server modifies the SIP request and sends it back (response message) to the S-CSCF which continues the process until all

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the different priorities of the filter criteria are considered or the service logic performed in the application server results in a final response to the SIP request depending on what services the user is using or is eligible to use, columns 2 and 1, pages 32 and 33, lines 6-15 and 1-9 respectively) initialized by the second UE.

Bell Labs Technical Journal fails to disclose forwarding a Session Initial Protocol (SIP) request message initialized by a first User Equipment (UE) to a second UE without checking any initial Filter Criteria and going through an application server, receiving a Session Initial Protocol (SIP) response message initialized by the second UE.

But, Shaheen et al. discloses Fig. 1, UE-A (first) initiates SIP message and sends the SIP message to UE-B (second), paragraph [0004], page 1, lines 2-5, and the UE-B examines (initializes) the SIP and sends UE-A a session progress (response) message, paragraph [00026], page 2, lines 1-7.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Shaheen et al.'s forwarding a Session Initial Protocol (SIP) request message initialized by a first User Equipment (UE) to a second UE without checking any initial Filter Criteria and going through an application server, receiving a Session Initial Protocol (SIP) response message initialized by the second UE because this would have allowed the UE-A to initiate a media session with UE-B, paragraph [0004], page 1, lines 2-3.

Bell Labs Technical Journal in combination with Shaheen et al. fail to disclose SIP response message received by S-CSCF according filter criteria.

But, Mayer discloses SIP request received is forwarded to S-CSCF and S-CSCF responds to SIP request per the event filter, page 3, lines 10-17.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Mayer's SIP response message received by S-SCCF according to filter criteria because this would have allowed communicating with any kind of multimedia system in which SIP signaling between the terminal and the multimedia enabling system is used, page 3, lines 3-5.

**Regarding Claim 20,** Bell Labs Technical Journal discloses the Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9) according to claim 17, wherein the S-CSCF records (Fig. 9, CF-AS, CF application server updates its subscriber records, column 1, page 40, lines 3-5) the SIP request message (S-CSCF adds an identifying indication to a request before forwarding it to an application server so that it can identify the message that comes back from the application server, column 1, page 33, lines 14-17) to be reissued to the application server designated by the rFC when the corresponding SIP response message (Fig. 9, SIP 100) matches (Fig. 9, 9, filter criteria matches for AS) the SPTs (application servers use service triggering points to apply service logic, column 1, page 33, lines 23-25) of one of the rFC (filter

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criteria, column 2, page 40, line 4).

**Regarding Claim 23**, Bell Labs Technical Journal discloses the Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9) according to claim 17, wherein the S-CSCF selectively disables the function of examining the rFC (S-CSCF uses filter criteria to involve the application servers and the filtering is done on the SIP message such as BYE, column 1, page 32, lines 37-40).

3. **Claims 14 and 30** are being rejected under 35 U.S.C. 103(a) by Bell Labs Technical Journal in view of Mayer, Shaheen et al. and Khartabil (Pub. No.: US 2005/0154793 A1).

**Regarding Claims 14 and 30**, Bell Labs Technical Journal discloses a triggering method (method, column 1, page 32, line 42) and an Internet Protocol (IP) multimedia subsystem (internet protocol (IP) multimedia subsystem (IMS), page 27, lines 7-9) according to claim 13, wherein the corresponding SIP response message has a response code “486 busy here” representing that a connection status is line busy (rerouting decisions are based on criteria such as busy, column 1, page 39, lines 38-39).

Bell Labs Technical Journal fails to disclose SIP response message has a response code “486 busy here”.

But, Khartabil discloses SIP includes “486 Busy Here” in the response message, paragraph [0031], page 3, lines 4-6.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Khartabil’s SIP response message has a response code “486 busy here” because this would have allowed the SIP error message returned to the calling terminal indicating that the receiving user is unavailable, paragraph [0031], page 3, lines 1-3.

#### ***Response to Arguments***

4. Applicant’s arguments filed August 18, 2009 have been considered. But, in view of the new grounds of rejections due to the amended claims, these arguments are moot.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon Andrews whose telephone number is (571) 270-1801. The examiner can normally be reached on Monday through Friday 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Rao S. Seema can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LA/la  
August 26, 2009

/Kevin C. Harper/

Primary Examiner, Art Unit 2416